

Public Hearing
November 29, 2007
Iowa City, Iowa

Chris Spoelstra: Iowa DNR, Water Quality Standards Public Hearing, November 29, 2007, Iowa City, Iowa.

Wally Taylor: I'm Wally Taylor, I'm the legal chair for the Iowa Chapter of the Sierra Club and I want to make some general comments about this UAA process. I think other folks would be more specific about certain waters or certain issues. First thing we need to understand is that the UAA process is derived from the Clean Water Act which was passed over thirty years ago by Congress. So we're way behind the curve, and the purpose of the Clean Water Act by its own terms was to restore and protect the integrity of the Nation's waters. And eventually have no discharge of pollutants into the water. A couple of years ago the EPC finally adopted water quality criteria that the Water Quality Standards to finally comply with the Clean Water Act, some thirty years late. And that's why we're doing the UAA's now because we've properly classified the waters of the state. As been noted here earlier in some of the comments and questions, there's a presumption that under the Clean Water Act that all waters of the state are quote fishable and swimmable. What that means is we can use them for recreation, either primary contact or secondary contact. And we understand that the Department of Natural Resources is under pressure from the legislature by legislation that we feel contravenes the Clean Water Act, that's why I asked the question earlier, off the record, what happens if the Department decides that they cannot do the UAA process correctly by the end of the year, which is required by this legislation, or that the legislation, the way it's written would require the DNR to do something that's contradictory to the Clean Water Act. And I don't know that I got a definite response to that question by Mr. Schnieders. But we have to do it right, and the state law has to comply with the Clean Water Act. If we don't comply with the Clean Water Act, the EPA can and we would certainly request, by we I mean the Sierra Club, will certainly request that the EPA withdraw it's authority to the State of Iowa to carry out the Clean Water Act. The first round of UAA's that are being proposed here, two hundred and seventy some or whatever it is, is a massive undertaking in the time required, let alone the two-thirds that are not on this list yet. In order to do it right, it's going to take longer than the legislature required or imposed on the DNR. And I can't believe that the vast majority of the first two hundred and some UAA's or the water segments that are listed here in this first round don't meet the requirements of fishable and swimmable. That they should not be A1. I think that it's clear and I think other folks would probably document this better than I could that the vast majority of these waters should be A1 rather than A2. The, if there's a question that we don't have enough evidence, or the evidence is inconclusive, then the presumption of fishable and swimmable should mean that those waters should be A1. That's the presumption, and the presumption should carry the day, because that's what a presumption is all about. You take it away from that presumption only if you have clear evidence to the contrary. I've heard comments earlier, off the record that the cost of upgrades or efforts that would have to be made in order to make the waters comply with the attainable uses is prohibitive and that should somehow be a factor in deciding these waters are A2 rather than A1. Well the Clean Water Act does not make cost a factor. Certainly it's a practical matter, there's gonna be some cost involved, as I said, we're thirty years behind the curve, it's gonna take some cost to bring us up to where we should have been ten or twenty years ago. We didn't do it, and these same industries, these same cities and towns, all the way along for the past thirty years have said, oh we can't do it, it's gonna cost too much and we've let them get by with it. We're gonna have to say, you must do it. That's what the law requires and that's what is gonna be required to get our waters to the point where we do have the integrity in our water quality for the law requires. And the Water Quality Standards, the UAA's have nothing to do with the cost, the cost is an implementation factor that we can deal with after we determine the water quality standards and the attainable uses. So that's not a factor to be used in deciding whether or not the use is attainable. As far as the legislation that the DNR is going to be done on, the Sierra Club recognizes that the legislature placed an unfair burden on the DNR in establishing a timeline for adoption of the UAA's. The Sierra Club stands ready to explain this situation to the legislature and to support the DNR in doing the job right, even if it

takes longer than the legislature expected or requires different factors and standards that the legislature required. And I'm sure other environmental organizations will also stand with us in supporting the DNR in making that case to the legislature. We also believe that the people of Iowa will be ready to explain that the legislature, this situation with the legislature at the next election. In any event, the DNR's responsibility is to follow the law.

David Meyer: My name is David Meyer, my wife and I live in Cedar County on Rock Creek. Not only does the stream flow through our acreage for about a quarter of a mile, it's also part of our identity and flows through our lives. The principle reason why we live where we do is because of this creek. Our phone answering machine begins with a phrase from the Rock Creek, our email address starts out r-o-c-k-c-r-k, I'm a trained IoWater volunteer and snapshot coordinator for Cedar County as well as assistant commissioner for Cedar County Stormwater Conservation Commission. One of the sites we went on a trip for the snapshots is right in my backyard, so I know it well. We got relevant data going back over four years, including data for e-coli bacteria, samples that were tested at the state hygienic lab. E-coli levels from this last May's snapshot at this site was 70cfu per hundred milliliters, it's a long, long way from the one time limit of 2880cfu per hundred milliliters, available under the A2 destination for this water. Electric shock fish survey was done in the summer of 2002 by DNR fisheries biologist Greg Gellowitz and Greg Simmons from Manchester. The results shows twenty-three non-game species and five game species. This report and others are available through their office, I also know that macro-invertebrate survey's have also been done on this stream, so it's a mystery to me why this data wasn't considered before this downgrade was proposed, after all this data was gathered and supported by the DNR. At the very least, Rock Creek deserves that Class BWW1 designation to protect aquatic life. Instead the Rock Creek merits an A3 designation, I have photos to submit of my family and friends swimming and tubing in this creek, we kayak and canoe from my house all the way down to the Cedar River. We have large tractor intertube right on the stream bank to use all season long. Annual family reunions held at our place, the first place they kids run to is the creek. These kids, my family and friends, and everyone else has the right to expect the water is safe enough to swim in.

Steve Veysey: My name is Steve Veysey and I'm from Ames. And I've been working on water quality in Iowa for ten years, particularly on water quality standards. Legal stuff, rulemaking, etc, etc, that nobody wants to work on. I'd like to thank DNR for having this meeting, allowing me to speak again, these folks, Adam and Chris have done a great job at trying to do what the Department has asked them to do. They're trying their best, I disagree with many aspects of this, I hold no animosity to Chris or Adam, I think they're great guys. First of all, UAA testimony, we have a bunch of copies over there, I encourage you to take a testimony form and fill it out for any stream that you use, and on the testimony form it says River and Stream Existing Uses Testimony. This is critical that we keep referring to our beneficial uses of these streams as existing uses, it is critical. The Department has, implements the Clean Water Act Programs in Iowa through a memorandum of understanding signed in 1978, with the EPA. In that memorandum of understanding, it explicitly states that DNR shall abide by all written guidance from EPA, written guidance from EPA in determining implementation of their programs. The written guidance from EPA is the 1994 Water Quality Standards Handbook Second Edition. Now when they say that they no longer have to protect for existing uses, I want to see a document with EPA's signature on it saying this document is, replaces the guidance in the water quality standards handbook. When they say that they can use low flows as the basis for removing primary contact recreation, I demand to see the document with EPA's signature that says you do not have to abide the specific clear language in the water quality standards handbook that says factors two and five pertain to low flow and physical factors cannot be used to remove primary contact recreation protection. Now in terms of existing uses versus attainable uses, existing uses must always be protected, it's a fundamental part of the Federal Clean Water Act. States can never remove uses that are existing, they can never remove the protection from those, and it is offensive that they are going through this entire UAA process trying to dodge this fundamental tenant of the Clean Water Act, that thou shall protect for existing uses. In fact, we have from Mr. Correll, who is the Division Head in response to a

rulemaking that Sierra Club is putting forward for Anti-Degradation, which is a different topic, one of the parts of our Anti-Degradation petitions said something like, identification and characterization of the existing uses of the water bodies affected by the proposed activity, and in his response to his response to our term of use of existing uses, Mr. Correll states: Tri-Annual reviews are intended to ensure that designated uses protect against existing uses. Now I will interject, tri-annual review is a broken and dead process in Iowa. The last completed tri-annual review was 1994 and I'll go on, Mr. Correll states, more information is necessary about what data should be collected and how the Department will determine the adequacy of the information. So Mr. Correll is stating that existing uses are best designated through the tri-annual review process but the state doesn't have any mechanism yet to do that. And he concludes with, our use assessment protocols, which is what this is, the UAA process, are intended to identify highest attainable uses and not to determine and document existing uses. All this effort of DNR staff, all this effort of public notice, public outreach, and none of your testimony, will be considered as proof of an existing use. An existing use would protect your stream forever and they won't do it. Now the consequences of A1 versus A2, in theory, A1 or A2 designations should both be protective of most recreational uses, because disinfection is primarily all or nothing. Here are the consequences though if they assign A2; we already know that nationally EPA is considering dumping protection for secondary contact uses, which is our A2. If they do that, every stream in Iowa that is A2 will lose its recreational protection, you will see if EPA dumps the requirements for number protection for A2 designation, you will see the next day an emergency rulemaking at the Environmental Protection Commission of Iowa to remove protection for A2 streams. They have to, because in our Iowa laws it states we cannot have numerical criteria more stringent than EPA's. So if EPA dumps protection for secondary contact uses, Iowa will dump it the next day, we've already seen that happen in terms of air quality and some other aspects. What's the other consequence of being designated A2 as opposed to A1? Well, if your designated A1 and you have the higher, more stringent standards, possibly your stream would be listed as impaired on the state's 303D list, the TMDL process, and would qualify for 319 funds to help do stream improvement for point and non-point sources in the watershed. If you're designated A2, most likely, you won't pass that threshold and you won't be qualified for 319 funds. What we're going to find if EPA dumps protection for secondary contact uses is that states that have defined inclusively primary contact, the quote swimmable activities, if they have defined that inclusively to include things like people kayaking and canoeing and people taking their kids down into the shallows to pretend swim and splash and play, if they have defined primary contact inclusively in their state, most streams will stay protected for most activities most of the time. However, if, as in Iowa, the state has defined A1 exclusively and very narrowly, then you will not protecting for those activities in most streams most of the time. Moving on to the next point, BWW1 versus BWW2, I was glad to hear Adam say tonight and clarify that all BWW1 streams will automatically get human health protection. This historically has always been the way we've done it in this state, and yet for some reason we can't quite understand it was separated in the last rulemaking and Mr. Schnieders in Cherokee that that no streams would get HH without further rulemaking to determine how to apply HH. Specifically, folks in the wastewater industry are claiming that unless you consume, harvest and consume enough fish from one particular stream, to meet the threshold upon which EPA has based their numerical criteria, the stream doesn't need HH protection. So if it's based upon the consumption of four ounces of fish a week over a lifetime, unless we can prove that people harvest that many fish every week, for their lifetime, HH designation might not apply. That's the argument that the wastewater community is putting forward, we don't know to what extent the Department is gonna buy into it, we do know that, we knew in Cherokee, that the Department was not going to move forward with any HH designations until they have considered that rulemaking. So I was glad to hear Mr. Schnieders say that now all streams that are BWW1 will protected for bioaccumulative toxins in the fish tissue. So there's a reason for making sure your stream is WW1 and not WW2. My next point has to do with implementation. With no disrespect to Mr. Schnieders, his boss' boss has told me that permits will not be reopened to implement disinfection. Permits are on a five year cycle. Now that means on average, it'll be a 2.5 year delay on average before permits even start to be looked at for disinfection. And they will implement a three year variance, and you will get

the first variance just for asking, and the second variance, while maybe you need a plan, now you're out to six years out. But let's add the 2.5 years in the beginning, you're about eight years out there now. Let's say you get a permit then, after eight years, you finally get a permit that has a disinfection requirement in it, you will then have a compliance schedule which in the past would have been at a maximum five years. Well DNR is now saying they are going to open-end the compliance schedule, it could be, I'm predicting, that on average, it'll be ten years or more before facilities implement disinfection. Now yes, there will some that are done sooner, but there will be a lot done later, and on average, you're going to see a ten year delay. And if at anytime during that ten years, EPA dumps protection for secondary contact recreation, you will see, all those A2 streams where the facility has not yet turned on their disinfection, they will not be protected. I've talked about during the question and answer this concept of depth as the determinant factor for A1. Depth is not a determinant factor in the draft recreational use protocol, it's not a determinant factor in the actual water quality standards definitions, and EPA has never approved water quality standards where depth was a determinant factor. Now they have approved stream designations based on protocol that had depth as a factor, it has been twice removed because EPA is a very, they're not easy to deal with, either for us or for DNR. But they've never approved water quality standards that use depth as a criteria for removing A1 protection. Finally this question of burden of proof, an evidentiary threshold. Two years ago, all perennial streams in Iowa were given the presumption of fishable/swimmable. That established a presumption that those uses exist. Now an existing use by definition in the Clean Water Act is any use that is occurred at any time since 1975, now this concept Mr. Schnieders alluded to that although it only counts as existing use if the water quality was suitable to attain that use at that time, that's not in the Clean Water Act. That's a discussion that's going on, but that's not how it's been interpreted in the past. If they start interpreting it that way now, that's a change, in the past, you have not had to have water quality sufficient to obtain an existing use, the use needed to occur. And I have asked this question repeatedly of DNR, in terms of recreational uses is the occurrence of a use the proof of the existence of the use. This is not philosophy, this is pretty simple, is the occurrence of the use, proof of the existence of the use? And they refuse to answer, they go into goobly-gook about, well, but really the use is swimming in polluted water, what a pile of horse hockey that is. So this question of burden of proof and evidentiary threshold, they refuse to answer. We have a moving target, we have no way to get our streams protected because they won't tell us how much proof we need, what the quantity and quality is required to protect our stream, either for aquatic life or for recreational uses, we've been hammering them for five months now, trying to get this information and they just won't give it us. So once, again, I appreciate the opportunity to speak, and once again I'd like to say, I think Adam and Chris have done a fine job in what they've been asked to do, it's a difficult job. The only way we're gonna protect these streams is for Iowans to stand up, fill out testimony forms and submit them, don't worry about whether or not the Department is going to recognize attainable versus existing, don't worry your head about whether A1 or A2 is gonna be lost by EPA. Just submit the evidence and your testimony, and let environmental groups like the Environmental Council and Sierra Club, we will take your work and your testimonies and we will try to protect your streams. That's how this is all going to work, if it works at all. Thank you very much.

Harvey Johnson: My name is Harvey Johnson, I'm with the Iowa County Watershed Coalition, I also happen to be the snapshot coordinator for the Johnson and Iowa County area. We have conducted a lot of tests since September 20, 2003. We've collected over eleven thousand points of data throughout this area in the last few years and that brings up one of my first points. I was looking over the data that was collected by the DNR of the streams, I was happy to see that they got all the way to the headwaters of Clear Creek in my research last night. But they took one set of readings, and I was taught by the IoWater staff that one point doesn't make data. I took some pictures, I've brought some pictures today to give to the people here, this is Clear Creek, I know you guys can see it, but I purposely planned it that way. I couldn't see yours either Dave, we, I have been very fortunate in taking a lot of students into the creek over the year, and I brought some pictures here and these kids are from West High, and they're doing flow measurements, and you'll notice that a couple of them have got boots on, and a couple of them have just got

their tennis shoes on, and we've even got a little dog in there. Okay, but this is not wadable and fishable huh? Or it doesn't fit your requirement, this is another group in here that we did an equaschool program, they have multiple contact here, my friend Gary Arner back there always shows up with boots that have got holes in them so he gets extra water on his legs even though he's got boots on. Well here's a student here that's got the same sort of problem, this is my favorite picture, this is at S Avenue. You people with the DNR shouldn't say you guys, when the assessment was done at the headwaters of Clear Creek, they couldn't find where there was any signs of fishing or any activity of people in the water, well they tested at Q avenue and T Avenue and if they had gone to S Avenue, the first time that Don Lennon and I went down there, we left immediately because we thought that it was meth lab, I have since found out that these kids, these friends, there's nine kids all together from three different families, they've got this really neat little fort down there, that's right next to the creek underneath this old oak tree and they built a fireplace. And they've got their fish trap that they set out there, and the young man, he learned how to catch those fish in that fish trap, chop them up and put them on a frying pan and eat them. You like that? He's a good kid, you'll like him, he's a pretty good kid. This is a picture of him going down the creek, playing in the water, there's a sad part of this story, but that's another story, and I'm going to stay on target, I'm moving along. As far as depth of water, this is some students setting up some BMI traps at Tiffin and Clear Creek, and I think we're getting pretty close to a meter, when Lynette and I went in there in January to pull these BMI traps and I think that she will gladly say that that was probably in a meter of water from what we pulled those traps from. We have all kinds of people, this is the E2T2 program, I hope I got that right, of students which happen to be school teachers that we took into Clear Creek, once again this happens to be at Clear Creek and Tiffin, which is not one of your sites, and we took, in this one year, I counted it up, in 2005, we took 175 different people into the water at that particular place. I love this one about you know, ingestion, well you have to be so tall that it takes a meter of water or something like that? Well this happens to be at Clear Creek and Tiffin, this is the Willow Wind class group from Zach's, I can't remember his last name, these are all seven, eight year old kids, they're first object when we got them in the water, they wanted to come up and learn about water and take a walk, they learned what meander is, what the word BMI is. Their first object when they went into the water was, these sixteen inch boots, what happens when you step into seventeen inches of water. The second object was to find out who was going to be the first one to be totally immersed, and all it took for me to say is now step around that little hole right, or some of you could get water up over your boots. I didn't realize that they meant that they could get it up over their heads, so the one meter stuff, that's bull. We had a presentation here a few days ago, a few weeks ago, and Lynette made this up and I'll tell you, I was really, really impressed with it. About testing one place and assuming what a creek looks like when you test one particular place. Did I manage to crop that off of there? I sure did, OMC 23, this happens to be down on Old Man's Creek, this is what it would look like if you were just to look at the whole creek, the whole representation of the creek, this happens to be for total phosphate, and as she said, does anybody see something strange that as you go upstream? They're doing the same thing Annette that they did to you. Does anybody see anything as you go upstream? Okay, testing one point, and saying what a creek is going to be like upstream is a bad thing to do. We have enough data on this that we can see what happens over time with a low water conditions. The same goes when we are in high water conditions. The reason I show these is for two reasons, number one, we've got a lot of people that have been in there. A lot of people, and there's been a lot of assessments done but none of that data and I hate that little blue sheet that Lynette comes out with all the time, especially now where it says, do you see any signs of human activity, do you see any, you know I can go in there and I can pull up samples and do my pH and my water temperature and my transparency and everything and be out of there in five, six minutes. Now I've got this form that I got fill out, Dave do you see any signs of people in here? Gary is still looking for wind surfers, you know, all of this type of stuff, well why are we taking that? If the DNR isn't going to use it? We have been at those stream locations in Clear Creek, Muddy Creek, you're also doing Prairie Creek, we've been at those places more in the last five years than the DNR will be in there for the rest of the life of the DNR. That's all I've got to say, that's for you.

John Rotelily: First of all, I couldn't hear anybody, what anybody said. So I don't know, what I'm going to say if it's gonna work here or not, but I'm gonna do my best okay? First of all I'm John Roetlily and I'm from Twin County Dairy at Kalona, Iowa. We make cheese and in places where no-one in a cheese factory for anybody that's in the area anytime at all knows where that's at. We manufacture or we run, we process about a million and a half pounds of milk a day, and we think we do a pretty good job. We have four lagoons, one of the first lagoon that we put in was probably about twenty or thirty years ago, and it's about two or three acres. And the last one that we put in is about twelve acres and I'm not real sure as to what all the information that we have, what we're really gonna have to do to stay compliant. But I mean, cost, I hear people here saying that cost isn't relevant, well costs are relevant. Somebody has to pay for some of those things, and in our particular case we have, we've had to pay for whatever we've done, we haven't gotten a grant, we haven't gotten any free money from the state for anything. And I guess our biggest sin is that we have a little creek there that goes, that runs north and south, right west of the cheese plant. If it wasn't for us, it wouldn't have water in the creek, we're the people manufacturing the water for the creek. So the minerals and whatever that comes in there, comes there because of the water that we have. Also, in our area, we have a lot of livestock grazing, and if you talk about e-coli or whatever, I believe I'm correct here that comes from manure and things like that. So, if we do what some people are proposing, what are you gonna do about that? What are you gonna do about the livestock? What are you gonna do about people who have cattle in the field, graze, if you have animals you're gonna have manure. So, I don't have those answers. We are also going to submit some information that our engineer, Edward has assimilated and we have, and I just got back this afternoon from Minneapolis, so I wasn't even able to look over the information that he had, but we'll get that back to you. That's about all I have.

Larry Gullett: My name is Larry Gullett and I'm the Director of the Jones County Conservation Board, and the Conservation Board would also like to thank the DNR for hosting the meeting and designating the A3 category for classification of waters in Iowa. The Conservation Board has reviewed this letter and we're going to be forwarding it to the Environmental Protection Commission as well as our state representatives and state senators. We think that there's probably much better ways to assess the rivers and streams, than using the UAA process, but at any rate, the letter states, the Jones County Conservation Board would like the Environmental Protection Commission to consider the following comments in reference in reclassification of the North Fork of the Maquoketa River, Whitewater Creek and Buffalo Creek from an A1 to an A2 designation. Each of these streams is used for recreation by residents of Jones County and visitors from around the state of Iowa. In the case of the North Fork of the Maquoketa and Whitewater Creek, people from other states visit these streams for canoeing, kayaking and fishing. Canoeing, kayaking and wading these streams are forms of recreation where primary contact with the water and complete submersion is common. During low water levels, people are more prone to contact the water, this includes contact with the ears, eyes, mouth and nose. It is during these low water time periods that people get out of their boats to navigate around boulders, riffles and debris in the streambed. People often rest on the sand bars, lay in the water and just splash and play in the water, especially on hot days. Children participate in these activities on these streams with their parents and other groups. There are swimming holes in each of these streams, at one time there was even a boy scout camp on Whitewater Creek. During the last three years, the Iowa Department of Natural Resources, Dubuque County Conservation Board, Jones County Conservation Board, the Federal Forest Legacy Program Administered by the US Forest Service and many non-profit organizations and individuals have contributed nearly two million dollars to preserve natural areas along Whitewater Creek. In two consecutive years, proposals for preservation and acquisition of lands and waters along Whitewater Creek have scored number one in the state through the reop program. In only two years now, thousands of people are now visiting this pristine natural area where Whitewater Creek and the North Fork of the Maquoketa serve as focal points. The Dubuque and Jones County Conservation Boards have active environmental education programs that serve thousands of school age children and adults each year. With the new acquisition of these lands on Whitewater Creek, this area will become a major focal point of our education program. A primary goal of our education program is to get

people into the water, assess the aquatic community through sampling of aquatic life, analyzing water chemistry and simply playing in and around the water. A classification to an A2 level will be detrimental to all people young and old, participating in this program. The North Fork of the Maquoketa corridor is one the premier wilderness areas remaining in Iowa. In Jones County alone, there is an 18.6 mile length segment of river inaccessible by public road or bridge. It may be the longest segment of interior stream in the state of Iowa without impact from road systems or bridges. Officials with the National Park Service Rivers and Trails Assistance Program are working with local officials to preserve and protect this relatively wild segment of river. The community of Cascade, has a city park, adjacent to the North Fork of the Maquoketa, children are attracted to the stream and routinely play in the water. The focus of the conservation board during the next decade, is preservation of this corridor and promotion of land use practices to protect and improve water quality. The water quality in these streams is important for the local economy, canoe riveries, hotels, restaurants and other businesses in the area are dependent upon tourists and visitors using these streams. A classification of these streams to the A2 category will eliminate existing and increasing use of these water trails. People in this area recognize the importance and value of these streams for recreation, wildlife and agriculture. It is important that we manage them to promote a high level of water quality. During low water time periods on Buffalo Creek, children ride their bikes up and down the streambed and play in the water, many residents along the stream depend on the river for recreation. There are pools along the stream that children and adults swim in. It is a fascinating and scenic stream characterized by pools and riffles with large outcrops of bedrock along the corridor. Residents, avid paddlers and anglers in all of east-central Iowa know the Buffalo is a special place and depend on its water quality through recreational use that requires primary contact with the water. The North Fork of the Maquoketa, Whitewater Creek, Buffalo Creek and many other perennial and intermittent streams flow into the Wapsipinicon and Maquoketa Rivers, these larger streams are classed as A1, and experience a very high level of recreational use. From Memorial Day through Labor Day in 2007, staff of the Jones County Conservation Board collected water samples from five different locations along the Maquoketa and six locations along the Wapsipinicon. During the sampling period from Memorial Day through Labor Day, the rivers exceeded the two hundred and thirty five colonies per hundred million standard sixty-six percent of the time. All of these streams are interconnected. How can we expect these larger streams to be within acceptance safe standards for swimming if the water coming into them exceeds the safe standard by ten times? In closing, we hope that the Iowa DNR will implement an evaluation process that is much more thorough, and includes a comprehensive assessment of each stream proposed for a classification change. Any assessment for evaluation of these streams should consider that the streams environment is dynamic and is in a constant state of change, that is pools, riffles and runs can change quickly based on a variety of factors, even with an individual streams. Each of these streams, the North Fork of the Maquoketa, Whitewater Creek and Buffalo Creek all meet the definition of a recreational use designation for the A1 and A3 categories according to the Iowa Code and Iowa Administrative Code. If you have any questions about the recreational uses of streams in Jones County, please contact us at any time. Thank you for considering these comments.

John Fay:

Let's see, I've got four kids, and we've got six kayaks and a canoe, and for the last three years, we haven't missed one month of being on the water. I do the Buffalo, the North Fork Maquoketa, Maquoketa, Wapsipinicon, and Whitewater. And let's see, before I met this group that I go with every month, I ran into the Whitewater before it was discovered by the Natural Heritage Society and the Iowa Conservationist Magazine and all that. And nobody went on it a whole lot, but for these guys that I am friends with, and I caught the first time I went there, I caught twenty bass. And they were huge and I released them and I brought my kids back again and we caught a bunch of them and took them home and ate them, and then these guys convinced me to only catch and release. And we go fishing in the North Fork all the time, the last time I went with Doug right over here, we caught five nice Walleye, brought them home and ate them, we swim in it. My kids dig for clams and catch crawdads and dunk each other, and we camp on it, and that's then every month for the last three years, so any declassification would just really chap me bad. Thank you.

Alannah Atley: I commute a couple of times on the English River this summer, and it was a wonderful experience, I was alone mostly, it was solo. And at any other time it was a partner and she just loves to get in the water all the time and swim and get cool. But while I was solo, from Riverside to the Iowa River it was wonderful, there were numerous great blue herons, redheaded woodpeckers, belted kingfishers, little snakes swimming in the water and several muskrats, and it was running at two hundred cfs that day and it was a wonderful serene experience. And I wouldn't want any of the rivers to change in Iowa, I mean it's just it would ruin it, and it's just not right. That's about all I have to say. I use it recreationally and would like to continue to do so.